

Notice of Sheriff's Levy and Sale

BENTON COUNTY SHERIFF • 113 E 3RD STREET, VINTON, IA 52349 • (319)472-2337

IN THE IOWA DISTRICT COURT FOR BENTON COUNTY

STATE OF IOWA)
) SS
BENTON COUNTY)

Docket No. (Sale No.) 2023-1067(1)
Court No. EQCV009571

SPECIAL EXECUTION

PLAINTIFF: DYSART STATE BANK,
CRS-CLAIM PLTF: LOL FINANCE CO
vs.
CRS-CLAIM DEF: PARTIES IN POSSESSION OF VOPELAK PROPERTY TWO - IN REM
CRS-CLAIM DEF: VOPELAK, DEREK JAMES - IN REM
CRS-CLAIM DEF: VOPELAK, TAMMY RAE - IN REM
CRS-CLAIM DEF: PARTIES IN POSSESSION OF VOPELAK PROPERTY THREE - IN REM
CRS-CLAIM DEF: PARTIES IN POSSESSION OF VOPELAK PROPERTY FOUR - IN REM
CRS-CLAIM DEF: PARTIES IN POSSESSION OF VOPELAK PROPERTY ONE - IN REM
DEFENDANT: PARTIES IN POSSESSION - IN REM
DEFENDANT: VOPELAK, DEREK JAMES AKA DEREK J. VOPELAK - IN REM
DEFENDANT: VOPELAK, TAMMY RAE AKA TAMMY R. VOPELAK - IN REM
DEFENDANT: LOL FINANCE CO - IN REM

As a result of the judgment rendered in the above referenced court case, an execution was issued by the court to the Sheriff of this county. The execution ordered the sale of defendant(s) rights, title, and interest in Real Estate Property to satisfy the judgment. The property to be sold is:

on attached sheet...

The described property will be offered for sale at public auction for cash only as follows:

Date of Sale	Time of Sale	Place of Sale
09/27/2023	10:00 AM	113 E. 3RD STREET, VINTON IA 52349

Redemption: After the sale of real estate, defendant may redeem the property within ONE (1) YEAR

Property exemption: Certain money or property may be exempt. Contact your attorney promptly to review specific provisions of the law and file appropriate notice, if applicable.

Judgment Amt	Costs	Accruing Costs	Interest	Attorney
\$415,849.25	\$11,091.30	PLUS	7.35% of \$139,334.64 from 06/06/2023 = \$3,170.53 AND 6.74% of \$156,861.76 from 06/06/2023 = \$3,273.12 AND 6.78% of \$60,487.33 from 06/06/2023 = \$1,269.64	WALZ, MARK D (515) 288-2500

Date	Sheriff	Deputy
08/02/2023	RONALD J TIPPETT	

Real Estate Legal Description

BENTON COUNTY SHERIFF • 113 E 3RD STREET, VINTON, IA 52349 • (319)472-2337

Docket No. (Sale No.) 2023-1067(1)

Document Type SPECIAL EXECUTION

Judgement Date 05/31/2018

PARCEL A LOCATED IN THE NORTHEAST FRACTIONAL QUARTER OF SECTION THREE (3), TOWNSHIP EIGHTY-FIVE (85) NORTH, RANGE TWELVE (12) WEST OF THE 5TH P.M., BENTON COUNTY, IOWA DESCRIBED AS FOLLOWS: COMMENCING AT THE EAST QUARTER (1/4) CORNER OF SECTION THREE (3), TOWNSHIP EIGHTY-FIVE (85) NORTH, RANGE TWELVE (12) WEST OF THE 5TH P.M.; THENCE N 0° 00' 00" W., 328.00 FEET, ALONG THE EAST LINE OF THE NE 1/4 OF SAID SECTION 3, TO THE POINT OF BEGINNING; THENCE N 0° 00' 00" W., 382.00 FEET, ALONG THE EAST LINE OF THE NE 1/4 OF SAID SECTION 3; THENCE N 90° 00' 00" W., 603.00 FEET; THENCE S 0° 00' 00" E., 382.00 FEET; THENCE S 90° 00' 00" E., 603 FEET, TO THE POINT OF BEGINNING, SUBJECT TO HIGHWAY RIGHT OF WAY OF RECORD ("VOPELAK PROPERTY ONE"); AND

THE SOUTHWEST QUARTER (SW1/4) OF THE NORTHWEST QUARTER (NW1/4) AND THE WEST ONE-HALF (W1/2) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION TWENTY-SEVEN (27), TOWNSHIP EIGHTY-FIVE (85) NORTH, RANGE ELEVEN (11), WEST OF THE FIFTH P.M., EXCEPT THE RIGHT OF WAY OF THE CHICAGO, ROCK ISLAND AND PACIFIC RAILWAY COMPANY AND EXCEPT COMMENCING AT THE WEST QUARTER (W1/4) CORNER OF SECTION TWENTY-SEVEN (27), THENCE DUE NORTH ALONG THE WEST LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION TWENTY-SEVEN (27), A DISTANCE OF 62.00 FEET TO THE POINT OF BEGINNING, THENCE CONTINUING DUE NORTH 315.00 FEET, THENCE DUE EAST 195.50 FEET, THENCE DUE SOUTH 315 FEET, THENCE DUE WEST 195.00 FEET TO THE POINT OF BEGINNING; AND EXCEPT

PARCEL A IN THE SOUTHWEST QUARTER (SW1/4) OF THE NORTHWEST QUARTER (NW1/4) AND IN THE NORTHWEST QUARTER (NW1/4) OF THE SOUTHWEST QUARTER (SW1/4) IN SECTION TWENTY-SEVEN (27), TOWNSHIP EIGHTY-FIVE (85) NORTH, RANGE ELEVEN (11), WEST OF THE 5TH P.M., PER SURVEY RECORDED IN BOOK 04, PAGE 1565 (THE VOPELAK PROPERTY TWO")

Street Address 1332 56 ST, DYSART, IA 52224 (PROPERTY 1); VACANT LAND (PROPERTY 2);